

June 1, 2010

Dr. Alfredo Armendariz, Regional Administrator
United States Environmental Protection Agency, Region 6
1445 Ross Avenue, Suite 1200
Dallas, Texas 75202

RE: Memorandum of Agreement
Between
United States Environmental Protection Agency, Region 6
Louisiana Environmental Action Network
Lower Mississippi Riverkeeper

Dear Dr. Armendariz:

This Memorandum of Agreement (MOA) provides for enhanced cooperation between the United States Environmental Protection Agency, Region 6(EPA), the Louisiana Environmental Action Network(LEAN), and the Lower Mississippi Riverkeeper(LMRK) to assist in the monitoring and assessment of the environmental impacts and related issues occurring as a result of the Deepwater Horizon drilling disaster. The parties herein agree that technical and scientific information generated by the local community, provided by and through LEAN and LMRK may be used to assist EPA in its monitoring and response efforts. This MOA therefore establishes the implementation of a collaboration between the EPA, LEAN, and LMRK to participate in a comprehensive and collaborative monitoring and assessment program of environmental and human health impacts. The goals of this program are to monitor and assess the significant environmental and human health impacts upon the Louisiana Gulf Coast and its residents resulting from the Deepwater Horizon drilling disaster and to provide tracking and assessment over the long term.

Parties and Representatives

The Environmental Protection Agency Region 6 is the federal agency charged with supporting the response of the United States Coast Guard to the impacts of the Deepwater Horizon drilling disaster. It is understood that the EPA has initiated an air, water, and sediment monitoring and sampling program (monitoring program) for the purpose of documenting the existing environmental conditions and the significant environmental impacts occurring as a result of the oil spill. Designated EPA personnel will share ~~coordinate~~ the EPA's monitoring program with

representatives of LEAN and LMRK in accordance with the Area Contingency Plan (ACP) and as further described below. EPA has designated , (214) 665-xxxx, as its designated representative for purposes of this Letter of Agreement. EPA may change its designated personnel at any time and will notify LEAN and LMRK of such change(s). ~~The EPA may change this designated representative with notice to LEAN and LMRK.~~ EPA's designated representative(s) is(are) responsible for~~shall be responsible for~~ providing regular communication to

LEAN and LMRK in accordance with the ACP. LEAN and LMRK are~~and shall be~~ responsible for sharing with ~~other appropriate~~ EPA's designated representative(s) personnel, information it obtains during its monitoring activities~~provided to EPA by LEAN and LMRK.~~

The Louisiana Environmental Action Network and the Lower Mississippi Riverkeeper shall interact with the EPA as they respond to the Deepwater Horizon drilling disaster and shall disseminate accurate and current information to coastal community groups. LEAN and LMRK shall have a designated representative and may change this designated representative with notice to the EPA. LEAN has designated [NAME, PHONE], and LMRK has designated [NAME, PHONE], as their respective designated representatives for this Memorandum of Agreement. LEAN's and LMRK's designated representative(s) shall be responsible for providing regular communication to EPA.

Understanding

In furtherance of this MMOA, EPA, LEAN and LMRK agree as follows:

EPA ~~may~~will seek the input of LEAN and LMRK through informal consultation when developing and implementing its oil spill monitoring and response programs.

EPA will ~~regularly, and~~ upon request, provide LEAN and LMRK with a copy of all monitoring plans and ~~monitoring and~~ assessment reports created by or submitted to the EPA not otherwise privileged, exempt under the Freedom of Information Act, or publicly available through some other means, such as on a publicly available website, whether now existing or as created by, or submitted to, the EPA.

~~The designated representative(s) of LEAN and LMRK shall be permitted entry into the Houma, Louisiana Incident Command Post, located at 1597 Highway 311, Schriever, Louisiana, and the Robert, Louisiana Unified Area Command Post located at the Shell Robert Training and Conference, 23260 Shell Lane, Robert, Louisiana.~~

If at any time LEAN and/or LMRK know that ~~its~~not representative(s) will not be available to participate in an EPA program, plan, or event, LEAN and/or LMRK will provide as much advance notice to EPA as possible.

Savings

Nothing in the MOA diminishes the independent authority of each agency or organization in the administration of its statutory obligations or mission. The MOA is intended to facilitate those authorities and missions through the cooperative mechanisms set forth herein.

Modification

This MOA may be modified at any time by mutual consent of the EPA, LEAN and LMRK. Any modification will be in writing.

Duration

This MOA becomes effective on the date signed by the EPA, LEAN and LMRK and continues until ~~modified by mutual consent or~~ terminated by any party ~~with 30 days notice~~ upon written notice to the other parties.

Should you have any questions or comments, please feel free to contact me.

Please confirm this agreement by signing and returning a copy of this letter

Very truly yours,

Marylee Orr
Executive Director
Louisiana Environmental Action Network/LEAN

Paul Orr
Lower Mississippi Riverkeeper/LMRK

AGREED:

Regional Administrator

United States Environmental Protection Agency Region 6